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MARSHALL, GERSTEIN & BORUN

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TO S. Nguyen
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TECHNOLOGY CENTER 2800

FROM: Anthony G. Sitko
PAGES (INCLUDING THIS PAGE): 17

EXTENSION: 801

CLIENT NO: 28724

MATTER NO: 35321

PLEASE CONFIRM RECEIPT: No

COUNTRY CODE: US

MESSAGE: File Ref. No.: 28724/35321; Application No.: 09/415,471

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Dated: October 16, 2002

Signature:

(Anthony G. Sisko)

Docket No.: 28724/35321
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Mark E. Gardiner, et al.

Application No.: 09/415,471

Group Art Unit: 2877

Filed: October 8, 1999

Examiner: S. Nguyen

For: OPTICAL ELEMENT HAVING
PROGRAMMED OPTICAL STRUCTURES

LETTER

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OCT 16 2002

Commissioner for Patents
Washington, DC 20231

TECHNOLOGY CENTER 2800

Dear Sir:

The attached Amendment A and Petition for Extension of Time was submitted under a certificate of facsimile transmission pursuant to 37 C.F.R. 1.8 on August 14, 2002.

After a telephone inquiry from Examiner Nguyen, it appears this paper was not matched with the Patent Office file, and the examiner was unable to otherwise locate the paper. Therefore, applicants are resubmitting the attached Amendment A for consideration.

Applicants' undersigned attorney did personally attend to the transmission of the above-referenced Amendment A and Petition for Extension of Time (totaling 13 pages) and hereby does personally attest to the same. A copy of the sending unit transmission report indicating that 14 (13 + 1 transmittal page) pages were transmitted to and received at telephone facsimile no. 703-308-7722 is attached.

Application No.: 09/415471

The Commissioner is authorized to charge any fee deficiency required by this paper, or credit any overpayment, to Deposit Account No. 13-2855.

Dated: October 16, 2002

Respectfully submitted,

By 

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